

EXPLANATORY NOTES

The case information presented represents only those cases in which civil enforcement lawsuits have been commenced. The Office of Consumer Protection has investigated numerous other unaccredited institutions operating in, from or under the claimed authority of Hawaii. In some of those instances, warning or advisory letters have been issued in lieu of litigation. The documents are in .pdf format and you will need Acrobat reader to view the files. You may find a link to download Acrobat Reader at <http://www.hawaii.gov/dcca/ocp>.

Complaint. The Complaint is the document that initiates the litigation. It contains a caption identifying the parties and a case tracking number; i.e. Civil No. xxxxx. The complaint contains a brief statement of the nature of the allegations against the defendants and of the relief requested from the court. The complaint may be amended during the course of the proceedings, hence documents titled First Amended Complaint, etc. The parties identified as defendants are required to file an answer to the complaint. Most complaints are filed in the First Circuit Court of the State of Hawaii (located in Honolulu), but others may be filed in the Second Circuit (covering Maui and Molokai), the Third Circuit (covering the island of Hawaii) or the Fifth Circuit (covering the island of Kauai).

Judgments. The judgment is typically the final document in the litigation which resolves the issues. Unless otherwise indicated therein, the judgment is usually effective as of the date it is filed with the court (the specific date and time can be found on the court clerk's stamp on the first page of the document). In cases involving multiple defendants, there may be one than one judgment entered in the case. The title of the judgment usually specifies the defendant(s) against whom the judgment is entered. There are several types of judgments.

Default Judgment. A default judgment is typically entered when the defendants fail to file an answer the complaint or are otherwise deemed in noncompliance with court rules and procedures. Typically a default judgment is obtained by filing a written motion requesting such and the court holding a (usually uncontested) hearing thereon.

Stipulated Judgment. A stipulated judgment is typically entered when the parties to the lawsuit are able to agree on terms of settlement, which are contained in the document. It, like all judgments, is enforceable by the court.

Summary Judgment. A summary judgment is typically entered by the court upon a motion. It is called "summary" since no trial is held, but instead, the court decides the matter at hearing.

Other Documents. There are often many other documents filed with the court between the time of the filing of the Complaint and the entry of judgment. The

First Circuit Court has a searchable online public access website
[<http://166.122.201.55/jud/Hoohiki/main.htm>] which indicates what other documents have been filed with the court.